

Massachusetts

A. STATE-AT-A-GLANCE

1)	Program Operation	State-administered
2)	Number of Local Offices (excluding Agencies under Cooperative Agreements)	8
3)	Type of Agencies with Cooperative Agreements	Including, but not limited to, Trial Court Department, District Attorneys, Department of Employment & Training, Department of Public Health -- Bureau of Vital Statistics, Department of Industrial Accidents, Department of Transitional Assistance, Office of the State Treasury, Division of Registration and other agencies that assist with location.
4)	Uniform Interstate Family Support Act	Yes
5)	Agreements With Tribal Entities	No
6)	Age of Majority for Termination of Support	<p>In general, the age of majority is 18. A Court, however, in its discretion, may order support up to age:</p> <ul style="list-style-type: none"> • 21 if child is domiciled with a parent and principally dependent on that parent, • 23 if child is domiciled with a parent and principally dependent on that parent due to the child's enrollment in an education program, excluding educational costs beyond an undergraduate degree.
7)	Statutes of Limitation:	
	• Collection of Past Due Support	None
	• Paternity Establishment	None
	• Dormancy Revival/Renewal Possible [yes/no]	None
8)	Guidelines	Percentage of obligor's gross income
9)	Interest Rates on	Statutory authority exists, but DOR has not yet issued regulations implementing the statute.
	• Missed Payments	
	• Retroactive Support	

	<ul style="list-style-type: none"> Adjudicated Arrearage 	
10)	Arrearage Collections for Non-minor Child(ren)	Yes, but DOR uses automated enforcement, (e.g., wage assignment) only. There must already be an existing order. DOR will not pursue establishment or modification.
11)	Distribution Scheme	First to current support, second to TAFDC or non-TAFDC arrears, depending on which type of case is currently open, then to TAFDC or non-TAFDC arrears, whichever type of case is not currently open. Where there are multiple cases, proportionately among cases.
	<ul style="list-style-type: none"> AFDC Arrears 	
	<ul style="list-style-type: none"> Non-AFDC Arrears 	
12)	Procedures Regarding Medical Support Using Income Withholding	Yes
13)	New Hire Reporting	Yes
14)	Recovery of Costs Elected Under State Plan	No
15)	Recovery of Costs for Initiating State	No
16)	Long-Arm Statute/s Citation/s	G.L. c. 209D, § 2-201 and c. 273A
17)	Automated Locate Resources	RMV, MASSTAX, NYNEX, MIRS, credit checks, DET, DIA, FPLS, Quarterly Wage, 1099
18)	Enforcement Options	
	<ul style="list-style-type: none"> State Income Tax Refund Intercept 	Yes
	<ul style="list-style-type: none"> License Revocation/ Suspension 	Yes
	<ul style="list-style-type: none"> Administrative Liens 	Yes
	<ul style="list-style-type: none"> Property Seizure & Sale 	Yes
	<ul style="list-style-type: none"> State Funds/Benefits (please specify) 	Unemployment Compensation, Worker's Compensation

<ul style="list-style-type: none"> • Other (please specify) 	Depending on the circumstances of the case, DOR may use any or all of the following: Wage assignment; levy of wages, bank accounts, lottery winnings and insurance settlements; credit reporting; referral to collection agency; criminal prosecution; contempt; and Ten Most Wanted
19) Spousal Maintenance Orders <i>(specify yes or no)</i>	
<ul style="list-style-type: none"> • Establish 	No
<ul style="list-style-type: none"> • Enforce 	Yes, when there is also a child support obligation included in the order
<ul style="list-style-type: none"> • Modify 	No
20) Current Spouse/Partner Information Required	Mass. child support guidelines allow us to consider the income of the spouse, but DOR does not require this information.

B. UNIFORM INTERSTATE FAMILY SUPPORT ACT

1) State Code Citation	M.G.L. c. 209D
2) Effective Date	Feb. 10, 1995
3) Adopted Verbatim? If no, list differences.	Yes
4) Repeal URESA?	Yes
5) Repeal IWW?	No

C. INCOME WITHHOLDING

1) Income Withholding Terminology	Income withholding, wage withholding, wage assignment, income assignment
2) Income Withholding Procedures	
<ul style="list-style-type: none"> • State Withholding Limits 	Based on federal law -- Consumer Credit Protection Act
<ul style="list-style-type: none"> • Fee Charged by Employers 	Up to \$1.00 per deduction
<ul style="list-style-type: none"> • Date to Remit 	Immediately, each pay day

• Penalty	\$500 for failure to remit
3) Definition of Employer	Any source of periodic income
4) Included Income	See #3
5) Excluded Income	Federally excluded sources only, no sources excluded by state law
6) Direct Income Withholding for Unemployment Compensation, include address	Department of Employment & Training, 19 Staniford St., Boston, MA 02114
7) Direct Income for Workers' Compensation, include address	Department of Industrial Accidents, 600 Washington St., 7th Fl., Boston, MA, 02111
8) Direct Income Withholding, other income sources subject to, include address	All employers/sources of periodic income
9) Direct Income Withholding, list Other Income Sources NOT subject to	see #5
10) Federal Withholding (See Federal Pay Agents Section)	IV-D Directors need not answer this question.
11) Procedures for Contesting Income Withholding	NCP requests an administrative review, DOR conducts a desk audit of documentation submitted by the NCP and issues a final determination which is subject to judicial review.
12) Arrearages through Income Withholding	Yes
13) Enforcing Against Non-Resident Obligor Asset/Income	Yes
14) Exception to Immediate Withholding	None
15) Multiple Obligations Withholding Priorities	
• Policy	
• Priority	Current support is the first priority. Past-due support is prioritized on a pro rata basis according to the amounts of the child support orders.
• Assistance	Customer Services Bureau 1-800-332-2733
• Allocation	Customer Services Bureau 1-800-332-2733

D. PATERNITY

1)	Interstate Paternity Procedures	UIFSA governs. Judicial process similar to in-state cases, genetic marker tests routinely ordered.
	Consent Orders Obtained	Yes, voluntary agreements are recognized
2)	Uniform Parentage Act	No
3)	Uniform Act on Blood Testing	No
4)	Parentage Order Available Without Order for Support	Yes
5)	Custody/Visitation Addressed Subject to Tribunal's Jurisdiction	Court has jurisdiction, but custody is not routinely address in a child support proceeding.
6)	Genetic Test Results as Presumption of Paternity	Yes
	Threshold	97%
7)	Paternity Acknowledgment as Presumption of Paternity (Rebuttable/Conclusive)	If child is less than 6 months old at time of acknowledgment, rebuttable for 1 year, then conclusive. If child is over 6 months, conclusive.
8)	Marriage as Presumption of Paternity	Yes, may only be rebutted in a divorce proceeding by lack of access or genetic testing
9)	Putative Father's Name on Birth Certificate, Effect of	Presumption of paternity
10)	Other Statutory Presumptions	G.L. c. 209C, § 6: Attempt to marry, jointly held out child as own, named on birth certificate with his consent, acknowledged his paternity without mother disputing acknowledgment.
11)	Recognition of Common Law Marriage	No
12)	Personal Appearance of Witness or Custodial Parent Required	Not required in UIFSA cases, usually required in in-state and long-arm cases.
	Acceptable Methods of Testimony	Written testimony or paternity affidavit in UIFSA cases, oral testimony in in-state or long arm cases.
13)	Long-Arm Statute	M.G.L. c. 209D, § 2-201 and c. 273A
14)	Assistance to Other States Using Their Long-Arm Statutes	
	• Service of Process	Mass. Dept. of Revenue, Child Support Enforcement Division, Central Registry, P.O. Box 4068, Wakefield, MA 01880
	• Genetic Testing	Mass. Dept. of Revenue, Child Support Enforcement Division, Central Registry, P.O. Box 4068, Wakefield, MA 01880
15)	Recovery of Genetic Testing	Generally, no

Costs for Other States	
-------------------------------	--

E. SUPPORT ORDER ESTABLISHMENT

1) Interstate Procedures	UIFSA, judicial procedures for establishment
2) Income Considered for Setting Support	Gross
3) Criteria for Rebuttal	Obligor has other children whom he is legally required to support
4) Support Order for Prior Periods	Yes. Depending upon the circumstances of the case, may go as far back as pre-natal period.

F. ENFORCEMENT

(Note: If multiple orders, see Part “G”)

I. ENFORCING YOUR OWN ORDER

1) Enforcement for Non-Resident Family	Yes, assuming DOR can enforce under UIFSA, DOR will use all appropriate administrative and judicial remedies
2) Administrative Procedures and Remedies Available	Yes, see #1
3) Judicial Procedures and Remedies Available with Registration	Yes, see #1

II. ENFORCING OTHER STATES' ORDERS

4) Administrative Procedures and Remedies Available Without Registration	Depending upon the facts of the case, DOR will use any or all administrative remedies
5) Judicial/Administrative Remedies with Registration	Depending upon the facts of the case, DOR will use any or all administrative and judicial remedies
6) UIFSA/URESA Registration and Enforcement Procedure	UIFSA, state procedures
7) Judicial Procedures Required	None

	after Registration	
8)	Uniform Enforcement of Foreign Judgments Act Citation	N/A

G. MODIFICATION/REVIEW & ADJUSTMENT OF ORDERS

1)	Jurisdiction Requirements	UIFSA
2)	Modification Procedures	DOR staff review case, pursue adjustment in court if appropriate
3)	Criteria for Modification	Change in order upon application of guidelines and need for health coverage
4)	Criteria for Change of Circumstances	N/A
5)	Frequency With Which Reviews are Conducted	Every 3 years or upon request
6)	Criteria for Review	Every 3 years or upon request
7)	Criteria for Adjustment	Change in order upon application of guidelines and need for health coverage

H. MULTIPLE ORDERS

ENFORCEMENT AND MODIFICATION

1)	Controlling Order	UIFSA
2)	Date of Controlling Order	UIFSA
3)	If No Controlling Order	UIFSA
4)	Arrears Procedure	Arrears are not modifiable

I. Documentation Required to Initiate Requests

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each document	Certification required for each document *See below
Establishment of Paternity and Support	CSE Transmittal, Uniform Support Petition, Paternity Affidavit, General Testimony	1	
Enforcement of Responding State's Order	CSE Transmittal, Uniform Support Petition, Order	1	yes
Modification of Responding States' Orders	CSE Transmittal, Uniform Support Petition, General Testimony, Order	1	yes
Administrative Enforcement of Another States' Order	CSE Transmittal, Uniform Support Petition, General Testimony, Affidavit of Arrears, Order(s), obligor info (name, address, SSN, employer, description/location of property), obligee info (name and address)	2 orders	1 certified
Registration for Enforcement of Another States' Order	CSE Transmittal, Uniform Support Petition, General Testimony, Affidavit of Arrears, Order(s), obligor info (name, address, SSN, employer, description/location of property), obligee info (name and address)	2 orders	1 certified
Collection of Arrearages in Multiple Orders	CSE Transmittal, Uniform Support Petition, General Testimony, Affidavit of Arrears, Order(s), obligor info (name, address, SSN, employer, description/location of property), obligee info (name and address)	2 orders	1 certified
Uniform Enforcement of Foreign Judgments Act	N/A		
Modification of Another State's Order	CSE Transmittal, Uniform Support Petition, General Testimony, Affidavit of Arrears, Order(s), obligor info (name, address, SSN, employer, description/location of property), obligee info (name and address)	2 orders	1 certified
Status Update on an Existing Interstate Case	CSE Transmittal		
Assistance/Discovery	CSE Transmittal		
Quick Locate	CSE Transmittal with at least Name and Date of birth		

**A= Notarization by Notary Public; B= Certification by signature of agency official;
C= Certification by signature of court official; D= Others (please specify);
E= Certification not required*

J. State Contact Chart

ASSISTANCE NEEDED	CONTACT Name, Title, Address, Phone, Fax, E-mail (include 800 if applicable)
State Information Agent	Leon Grol, Chief, Customer Service Bureau Mass. Dept. of Revenue, Child Support Enforcement Division, 27 Water St., Wakefield, MA 01880 617-246-0774
Central Registry	Mass. Dept. of Revenue, Child Support Enforcement Division, Central Registry, P.O. Box 4068, Wakefield, MA 01880
Interstate Policy Contact (if different)	Laurie Ray, Counsel <i>or</i> Libby Adler, Counsel Mass. Dept. of Revenue 141 Portland St. Cambridge, MA 02139 617-577-7200
Contact for Information Regarding Your States Long Arm Statute and Process	Laurie Ray, Counsel <i>or</i> Libby Adler, Counsel Mass. Dept. of Revenue 141 Portland St. Cambridge, MA 02139 617-577-7200
Contact for Information Regarding Collection and Distribution (State level)	David Blomberg Mass. Dept. of Revenue 141 Portland St. Cambridge, MA 02139 617-577-7200
Contact to Obtain Payment Records	Customer Service Bureau 1-800-332-2733
Contact to Obtain Copy of Order	Customer Service Bureau 1-800-332-2733
Contact for States Using Their Long Arm Statutes or Continuing Exclusive	Customer Service Bureau

Jurisdiction no “case” in your State) for	1-800-332-2733
<ul style="list-style-type: none"> Service of Process (private process server? If so , list) 	Customer Service Bureau 1-800-332-2733
<ul style="list-style-type: none"> Genetic Testing (e.g. assistance with interstate teleconferencing) 	Customer Service Bureau 1-800-332-2733
New Hire Reporting Contact	Bob Nevins, Associate Deputy Commissioner Mass. Dept. of Revenue 141 Portland St. Cambridge, MA 02139 617-577-7200
Employer Assistance Contact	Customer Service Bureau 1-800-332-2733
Telephone Number for Automated Interstate Case <i>Status</i> Requests (if any)	Customer Service Bureau 1-800-332-2733
Telephone Number for Automated Interstate Case <i>Payment</i> Requests (if any)	Customer Service Bureau 1-800-332-2733
Privatization Contact	Bob Nevins, Associate Deputy Commissioner Mass. Dept. of Revenue 141 Portland St. Cambridge, MA 02139 617-577-7200